

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

ANTHONY SPENCE, *et al.*,

Plaintiffs,

v.

BAC HOME LOAN SERVICING, L.P., *et al.*,

Defendants.

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CIVIL ACTION H-11-1476

ORDER

Pending before the court is the Magistrate Judge's Memorandum and Recommendation ("M&R") (Dkt. 40) regarding defendants' motion for judgment on the pleadings (Dkt. 30) and plaintiffs' motion for dismissal without prejudice (Dkt. 37). No objections have been filed. After considering the motions, related documents in the record, the M&R, and applicable law, the court is of the opinion that the M&R should be ADOPTED in its entirety.

In accordance with the Magistrate Judge's recommendation, defendants' motion for judgment on the pleadings (Dkt. 30) is DENIED and plaintiffs' motion for dismissal without prejudice (Dkt. 37) is GRANTED. A separate order of dismissal will be entered herewith.

Signed at Houston, Texas on July 1, 2014.



Gray H. Miller
United States District Judge